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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,
11 Plaintiff,

12 v.

13 CHAD HALL, D.O.; MICHAEL
HALPRIN, a/k/a Michael Vincent;
RONALD SMITH, M.D.; JANELLE
14 OLSON; and EGHOMWARE
IGBINOVIA a/k/a Jerry Igbinovia,

15 Defendants.
16

Case No. 2:19-cr-00154-RFB-VCF

**MOTION TO CONTINUE
DISCOVERY DEADLINES**

17 The United States, by and through undersigned counsel, hereby files this Motion to
18 Continue Discovery Deadlines seeking a thirty day continuance of the government's Rule
19 16 deadline, the defendants' reciprocal discovery deadline, the parties' expert disclosure
20 deadline and the pretrial motions deadlines.

21 On August 23, 2019, this Court held a status conference and set various deadlines
22 for discovery and other Rule 16 disclosures, providing that the government's Rule 16
23 discovery deadline would be set for January 10, 2020, the defendants' reciprocal discovery
24 deadline would be February 10, 2020, and the expert disclosure deadline would be

1 February 10, 2020. ECF No. 87. The Court further set the deadline for pretrial dispositive
2 motions for March 2, 2020, with responses due March 30, 2020. *Id.* The Court also
3 continued the trial date to June 8, 2020 in this case. *Id.*

4 Since the August hearing, the government produced Rule 16 discovery, returned all
5 property required to be returned according to the deadlines set forth by the Court and has
6 continued to review and attempt to identify electronic items it may seek to use in its case
7 in chief at trial.

8 The government now moves for a thirty-day continuance of the government's Rule
9 16 discovery deadline, the defendants' reciprocal discovery deadline, the expert disclosures
10 deadline and the pretrial motions and responses deadlines due to the imminent departure
11 from the US Attorney's Office of undersigned counsel. The case is being transitioned to
12 other government counsel and thus the government seeks this continuance to allow the
13 attorneys that will be prosecuting the case an opportunity to assess for themselves the
14 evidence to be disclosed and used at trial and the ability to identify experts of their
15 choosing. In the interest of fairness, the government thus also seeks to continue the
16 defendants' reciprocal discovery deadline and pretrial motions and responses deadlines
17 accordingly.

18 The government met and conferred with counsel for the defendants prior to filing
19 this motion. Counsel for defendants Igbinoia, Olson and Smith agreed to file a joint
20 stipulation continuing all pending dates, including the trial date, for thirty days. In
21 addition to the government's basis for seeking the continuance, counsel for Olson has been
22 in trial in *United States v Palafox*, 2:16-cr-00265-GMN-NJK for the past several months and
23 it is not anticipated that the case will be submitted to the jury before the end of January
24

1 2020. Counsel for Hall advised today that Hall did not stipulate to the continuance.
2 Accordingly, the government filed the instant motion.¹

3 Given that all defendants remain at liberty on pretrial release, that the currently
4 scheduled trial date is several months away, and the need for both the government and at
5 least some defendants to have additional time to meet the January and February
6 deadlines, the government requests that the Court grant this motion. The motion is
7 brought in good faith and not for purposes of delay.

8 **WHEREFORE** the government respectfully requests that the Court grant the
9 motion to continue and continue the government's Rule 16 discovery deadline, currently
10 set for January 10, 2020 to February 10, 2020, continue the defendants' reciprocal
11 discovery deadline from February 10, 2020 to March 10, 2020, and continue the expert
12 disclosure deadline to March 10, 2020. The government further requests that the Court
13 continue the pretrial motions deadline to April 2, 2020, and responses thereto to April 30,
14 2020.

15 Respectfully submitted this 7th day of January, 2020.

16 NICHOLAS A. TRUTANICH
17 United States Attorney

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19 s/ Nadia Ahmed
20 NADIA AHMED
21 Assistant United States Attorney
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23 ¹ As of the time of filing the motion, the government had not yet heard from counsel for
24 defendant Halprin.

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s/ Nadia Ahmed
NADIA AHMED
Assistant United States Attorney